

help consumers get mail-order prescriptions from Canada, saying that reimporting cheap drugs is a violation of the law and a risk to public health.

Since Stahl and her organization do not profit from their efforts, so far no one has hassled them. Rep. Gil Gutknecht, a Minnesota Republican, is trying to pass legislation that would make it easier for people to get their drugs from Canada or overseas. Laws to that effect have passed twice before, but both times the FDA protested that it could not guarantee the safety of drugs reimported from Canada, and so the law has not taken effect. Still, Gutknecht is not alone in interpreting present laws in a way that allows people to buy personal three-month supplies of drugs overseas without problems.

Cortez has a conference table display of brand-name prescription drugs in his Tijuana office. One by one he holds them up. Pfizer's Lipitor, Eli Lilly's Prozac, Merck's Fosamax. They're not loose pills; they are individually bubble-wrapped within sealed boxes. "We have no doubt that what we're buying is what it is. It comes from world-class labs," he says. And the 30 percent of his customers who are American seem to agree.

He's aware of the irony: a businessman from the developing world profiting on sales to desperate citizens of the wealthiest country on Earth. "It doesn't get more stark than right here. You can see so clearly: Third World," he says, pointing to the roadside squalor in Tijuana, the concrete barriers at dusk crowded with men waiting for night-fall and a risky dash across the border. "First World," he finishes, pointing toward the city of San Diego across the border. "My business thrives on people coming here from the States. But I shouldn't have people thanking me for making it possible for them to survive when they are from a country like the United States."

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BUYER) is recognized for 5 minutes.

(Mr. BUYER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### ORDER OF BUSINESS

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent to give my Special Order now.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### LITIGATION REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Texas (Mr. HENSARLING) is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, today the House passed landmark legislation in the passage of the Class Action Fairness Act of 2003. Lawsuit abuse is everywhere. It is harming American businesses, consumers, and families.

Mr. Speaker, there is something wrong with our legal system when it is easier to sue a doctor than it is to see a doctor. There is something wrong with our legal system when a plaintiff can be awarded millions of dollars because McDonald's serves hot coffee and not lukewarm coffee. There is something wrong with our legal system when people can sue Kentucky Fried Chicken for their weight gain because they ate too much fried chicken. And, Mr. Speaker, there is definitely something wrong with our legal system when the awards and settlements from class action lawsuits more often than not benefit the trial attorneys and not the purported victims.

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That is right, studies show that over half of all tort liability costs go to trial lawyers and administrative expenses, not the victims, real or imagined. In one egregious example, a Bank of Boston settlement ordered \$8.64 to each class member, but then turned right around and assessed each of those members \$90 in trial lawyer fees.

In a case against Blockbuster, the attorneys took home \$9.25 million in fees, while customers got a \$1-off coupon for future video rentals.

In a suit against Cheerios, the trial lawyers were paid nearly \$2 million in fees, while the customers from the suit received coupons for a free box of cereal.

Mr. Speaker, the examples go on and on and on; millions for trial lawyers, pennies for purported and real victims.

In recent years, State courts have been flooded with interstate class action lawsuits, many without merit. In fact, more than 15 million civil lawsuits were filed in 1999 alone. That is one lawsuit for every 18 people in our country.

Over the last 10 years alone, class action filings in State courts have increased 1,000 percent. That is right, 1,000 percent. Why is this happening? Well, with so many class action suits and so much at stake, most companies are deciding to settle these suits, even if they do not have merit, enriching trial lawyers and giving little or nothing to victims and costing the rest of us dearly.

How does it cost us, Mr. Speaker? The cost of litigation accounts for one-third of the price of an 8-foot aluminum ladder, it doubles the price of a football helmet, it adds \$500 to the sticker price of a new car, and it increases the cost of a pacemaker by \$3,000.

Mr. Speaker, the American people may not realize it, but they are paying

\$1,200 a year more for goods and services because of lawsuit abuse. That is enough to pay a couple of months of day care, purchase a home computer for a child, or buy 9 months of prescription drugs for a senior citizen. That is what each of us is losing.

It costs us in other ways as well. Another survey has found that for fear of product liability, almost half of small businesses have had to withdraw products from the marketplace, and 39 percent decided not to introduce new products. Litigation concerns have led several companies to postpone or cancel promising AIDS vaccines.

Class action lawsuit abuse especially hurts small businesses, because small businesses are often named as defendants in these suits so that the suits can be kept in trial-lawyer-friendly local courts.

These suits cause huge increases in insurance premiums, causing many small businesses to either pay up or go belly up. What a loss, Mr. Speaker, because two out of three jobs in America are created by small business.

Mr. Speaker, we must make the class action process more fair. The Class Action Fairness Act of 2003 will implement several important changes to dramatically improve our judicial system. By expanding Federal jurisdiction for truly multistate lawsuits, the Class Action Fairness Act will reduce the number of frivolous lawsuits and help prevent venue shopping by trial attorneys for favorable rulings. The judicial review and approval process will prohibit courts from awarding larger settlements to plaintiffs based solely on their proximity to the courthouse, and, very, very important, it will provide a much-needed safeguard for plaintiffs from being shortchanged by trial attorneys.

Mr. Speaker, many class action lawsuits are valid, meritorious, and address legitimate grievances by groups of people with similar claims. But the abuse of this legal tool is overwhelming. It is costing us jobs, bankrupting businesses, depleting businesses, and gouging consumers. We must have reform.

#### REPUBLICANS AND SPENDING

The SPEAKER pro tempore (Mr. FRANKS of Arizona). Under a previous order of the House, the gentleman from Texas (Mr. STENHOLM) is recognized for 5 minutes.

Mr. STENHOLM. Mr. Speaker, just yesterday, the Congressional Budget Office projected the Federal Government will end fiscal year 2003 with the largest deficit in the history of our country, more than \$400 billion. The Republican leadership responded to that news by scheduling a vote today on legislation that would add another \$100 billion in debt over the next decade. The Republican leadership claims that we can afford their tax cuts and balance the budget by controlling